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Date: Sun, 22 Oct 2000 22:17:52 -0700
To: ira.mellman@yale.edu
From: "Patrick O. Brown" <pbrown@cmgm.stanford.edu>
Subject: Re: Letter
Cc: varmus@mskcc.org

Dear Ira,

Thanks very much for your message and for your interest and provisional support, and your willingness to bring this proposal up with your Editorial Board.

I can see the appeal of the arrangement you propose, but it has serious limitations that make it inconsistent with the model proposed in the open letter. First, and most fundamentally, the underlying principle behind the open letter is that while the journals should receive a fair financial reward for their role in the publication process, ownership of the sole permanent record of the results of the research enterprise, which is funded by tens of billions of dollars of public funds annually, and represents the hard and thoughtful work and the original ideas of tens of thousands of scientists, should be transferred to the public domain and made as freely accessible as possible to all scientists and to the public, at the earliest possible time.

Second, the full contents of papers published in JCB are not accessible through a single searchable database, but they can only be traced through the material (keywords, abstracts, title and citation links) that are abstracted in the Medline indexes. This is a significant, and needless limitation, since it is very common for papers to contain substantive material that is not reflected in these abstracted parts (this is part of the reason why browsing through a journal is so much more useful than simple reading the table of contents or abstracts).

Third, since the material does not reside at Pubmed, its distribution is still controlled by the publisher (or its agent, Highwire), and dependent on their continuing resources and commitment for its ongoing availability. By allowing all the material that the publishers release for public distribution to be distributed by multiple "public libraries", the system can have a stability and seamlessness and security beyond what an assemblage of publishers could provide. This may be a small issue for JCB and Highwire, but if the "public library" that we are trying to build is cobbled together out of arrangements of this kind with dozens of publishers, each with their own restrictions and mechanisms for distribution, the system will not work. If we accept this arrangement with one journal, we open the door to endless negotiations and passive aggressive behavior by all the publishers. So we are asking for the simplest possible arrangement. I don't think the arrangement we are seeking adds any burden or risk to JCB compared to what you propose. But maybe I'm being naive. What advantage do you see for JCB or its readers or the broader scientific community in having the distribution be exclusively via Highwire, rather than jointly via Highwire and directly through PMC (and other similar public sites)? I think our proposal will actually be good for both Highwire and JCB, since it will allow current contents, available only through JCB's or Highwire's site, to be linked directly to a much larger and more comprehensive body of literature.

Fourth, we are actively working to raise funds to pay for the cost of scanning and digital conversion of the entire archives of the journals who adopt the policy we are advocating. The premise on which we are basing our fundraising is that this will create a public resource - the material will be in the public domain (where I believe it rightfully belongs). If these funds were instead to subsidize digitization for journals who would retain ownership of the digital versions, it would (and should) be much harder to solicit support for this endeavor.

I hope that you will see the advantages of a truly public library model, which could operate side by side with your present Highwire arrangement. At any rate, to give a direct answer to your question, providing controlled free access through Highwire, while retaining ownership of the material, would not be consistent with the policy we are advocating.

Best regards,

Pat

| Dear Pat,

A couple of mutual friends forwarded to me a copy of the letter you have begun to circulate regarding a boycott of submissions to journals which do not agree to place their content for free on-line within 6 months after publication. I am inherently supportive of this idea. However, as Editor in Chief of the Journal of Cell Biology, I find that I also have to ask for some clarification of a critical point.

When you refer to "only those scholarly and scientific journals that have agreed to grant unrestricted free distribution rights to any and all original research reports that they have published, through PubMed Central and similar online public resources", would free access to papers housed on the JCB website -- www.jcb.org -- qualify as a "public resource"? The JCB already links seamlessly via Highwire press to PubMed central, providing access to all content 18 months after publication. I assume that this arrangement, if the delay was reduced to 6 months, would be consistent with your clause as it wholly fulfills the goal of making all published papers freely available to the community via a public search engine (i.e. PubMed). However, before I can make any recommendations to our publisher and to our Board, I need to know this for sure.

Sincerely,
Ira Mellman
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